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BEFORE THE FEDERAL ELECTION COMMISSION

3	In the Matter of		/ 11.
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5	Mırage Casino Resorts, Inc.)	MUR 5020
6	Gormley for Senate Primary Election Fund)	
7	and Alan C. Staller, as treasurer)	
8	Steve Wynn)	
9	Mark Juliano)	SENSITIVE
10	Richard "Skip" Bronson)	
11	-		
12	GENERAL COUN	NSEL'S REPORT #4	
13			
14	I. <u>ACTIONS RECOMMENDED</u>		
15			,
16	Enter into pre-probable cause conciliation	on with Mirage Casino F	Resorts, Inc. ("MGM
	•		
17	Mirage"); find reason to believe MGM Mirage	executive Punam Mathu	r violated 2 U.S.C.
18	§ 441b(a) and enter into pre-probable cause con	ciliation with her; enter	into pre-probable cause

conciliation with Gormley for Senate Primary Election Fund and Alan C. Staller, as treasurer

("the Committee"); approve the attached conciliation agreements, and take no further action as to

22 II. BACKGROUND 1

- MUR 5020 involves allegations relating to three series of events that raised funds for the
- 24 Committee in 2000. ² This report addresses a fundraiser MGM Mirage held in Las Vegas for

Steve Wynn, Mark Juliano, and Richard Bronson, and close the file as to them.

¹ All of the facts recounted in this matter occurred prior to the effective date of the Bipartisan Campaign Reform Act of 2002 ("BCRA"), Pub. L 107-155, 116 Stat 81 (2002). Accordingly, unless specifically noted to the contrary, all citations to the Federal Election Campaign Act, as amended ("the Act"), are prior to the effective date of BCRA and all citations to the Commission's regulations are to the 2002 edition of Title 11, Code of Federal Regulations, published prior to the Commission's promulgation of any regulations under BCRA

² The Commission previously addressed fundraising by Donald Trump and Harrah's Entertainment, Inc The Commission took no further action as to several respondents associated with the fundraiser held at Trump's personal residence See GCR #2 (July 29, 2003) The Commission entered pre-probable cause conciliation with Harrah's Entertainment, Inc and two executives of subsidiary corporations, Herbert Wolfe and David Jonas, after they facilitated the making of \$37,275 in contributions See GCR #3 The Commission additionally generated and later admonished Joseph Jingoli, Jr for the making of an excessive in-kind contribution to the Committee when Jingoli paid for the airfare of Gormley to travel to Las Vegas to attend a fundraiser See GCR #3

- Gormley. The Commission previously found reason to believe that MGM Mirage and its then
- 2 CEO and Chairman, Steve Wynn, violated 2 U.S.C. § 441b(a) of the Act.³ Based on
- 3 Respondents' responses to the reason to believe findings and the investigation, this Office
- 4 believes that conciliation with MGM M1rage 1s appropriate. This Office also recommends that
- 5 the Commission find reason to believe one MGM Mirage executive, Punam Mathur, violated the
- 6 Act for consenting to the making of facilitated contributions, and that conciliation is appropriate.
- 7 This Office further recommends the Commission take no further action against Respondents
- 8 Steve Wynn, Richard Bronson, and Mark Juliano, and close the file as to them.
- This report also discusses the Committee's liability with regard to the allegations in the
- 10 complaint. The Commission previously found reason to believe that the Committee violated
- 2 U.S.C. §§ 434(b), 441a(f) and 441b. Based on the Committee's response to the reason to
- believe finding and the investigation, this Office believes that conciliation with the Committee is
- 13 appropriate.

14 III. FACTS AND ANALYSIS

- A. MGM Mirage and the Fundraising in Las Vegas
- 16 1. Facts
- On February 9, 2000, a fundraiser was held for Gormley in Las Vegas, Nevada in a
- private room at Le Cirque, a luxury restaurant in the Bellagio Hotel.⁴ Attachment 1. The
- 19 Committee rented the room at Le Cirque for \$1,000. Attachments 1 at 3; 2 at 1. Le Cirque also

³ In Wynn's response, counsel argues that he is not a proper respondent stating that there was a lack of substantial evidence, a lack of involvement in the alleged violations, and a lack of legal support for naming Wynn as a respondent as he had not been named in the complaint but only in a newspaper article indicating that he had been involved in the planning of the event, a fact disputed by Wynn in his response Attachment 4 See discussion of Wynn's involvement in the fundraiser, *infra*.

provided catering for the fundraiser. Attachments 3 at 2; 5 at 10-15. A receipt for the event

2 provided by the Committee and MGM Mirage shows that catering, with taxes and a 20% service

3 charge, cost \$1,718.51. Attachments 2 at 4; 5 at 11. Thus, the total cost of the fundraiser (room

4 rental plus catering) was \$2,718.51. The Committee sent a check to the Bellagio for "event

5 costs" of \$1,718.51 on February 17, 2000. Attachments 2 at 5; 5 at 12-15.

According to the Committee, Wynn approached Gormley directly and asked to host the fundraiser for him. Attachment 6 at 1. Punam Mathur, Vice President of Corporate Diversity and Community Affairs at MGM Mirage, who handled all governmental relations for MGM Mirage in 2000, said that Wynn's only involvement in the fundraiser was "committing to have an event at Le Cirque." Attachment 8 at 1-2, 4. The Committee stated that Wynn "planned the event himself," although it stated that it was "unaware of the steps taken by Wynn in planning the event... [or] of the individuals who were in fact involved in the planning and execution of the event;" that it "did not invite anyone to the event;" that the "host had his own invitation list;" and that the "campaign is not aware of how persons were invited to the event." Attachment 6 at 1. Though the candidate came to the fundraiser with two friends and his brother and son, interviews previously discussed in GCR #3 suggest they were more interested in Las Vegas than the fundraiser.

MGM Mirage provided this Office with several invitations to the fundraiser. Attachment 3 at 3-8. The first invitation, dated January 11, 2000, appeared on Bellagio letterhead and was from Bruce Aguilera, in-house legal counsel at the Bellagio. *Id.* at 3-4. It read:

⁴ Le Cirque is not owned by or a subsidiary of MGM Mirage, but leases space in the Bellagio Hotel, which is a subsidiary of MGM Mirage Attachment 8 at 4

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Thank you

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Mr. Wynn is hosting an event for William Gormley to support his candidacy for the United States Senate. The luncheon event will be held on February 9 at 11 30 a m in Le Cirque.

The contribution limits are \$2,000 per person Therefore, a husband and wife can give a total of \$4,000. However, each spouse must sign the check if the contribution is from a joint account This donation will cover the primary and general elections Checks should be made payable to "Gormley for U.S. Senate" and can either be brought to the luncheon or mailed to Gormley for U S Senate at 401 New Road, Suite 103, Linwood, New Jersey 08221

William Gormley is currently a New Jersey State Senator

Please RSVP to my assistant, Sheryl, at 693-7206

I am available to discuss if you have any questions

Attachment 3 at 3-4. At the bottom of that invitation are the initials "BAA:sc," suggesting that Aguilera instructed his secretary, Sheryl Courtney, to type the invitation. Id. A distribution list on the second page of the invitation lists seventeen top MGM Mirage executives, all of whom were in the corporation's restricted class.⁵ Id. Mathur said she also received a copy of the invitation from Aguilera. Attachment 8 at 6. Next to several names on the distribution list of the invitation provided to this Office were hash marks or the notation "chk" Attachment 3 at 4. A handwritten note below the distribution list, which Mathur stated was in her handwriting, says that as of January 29, 2000, there were "7 RSVPs" and "4 chks in." Attachments 3 at 3; 8 at 6. Although Mathur claimed she did not know why she wrote this, Andrea Bearden, a former

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⁵ These individuals were Stephen A. Wynn, CEO & Chairman of Mirage Resorts, Inc., Elaine P. Wynn, Director, Richard D Bronson, President of subsidiary New City Development, George J Mason, Director, Ronald M Popell, Director, Daniel B. Wayson, Director, Melvin B Wolzinger, Director, Frank Visconti, President of Retail Division; Bruce Levin, corporate counsel, Bobby Baldwin, President of subsidiary the Bellagio Hotel, Barry Shier, President of subsidiary Golden Nugget, Marc Schorr, President of Mirage, Bill McBeath, President of subsidiary Treasure Island, Bob Sheldon, Executive Vice President at subsidiary Golden Nugget, Kenny Wynn, President of the Architect and Design Group; Mark Juliano, President of subsidiary Atlantic City Project, and Al Faccinto, President of International Marketing Attachment 3 at 4

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assistant to Mathur, who worked at MGM Mirage for nearly six years, stated that this would not

- 2 have been written unless someone in Mathur's office was in possession of those four checks
- prior to the fundraiser. Attachments 8 at 6; 9 at 10. Indeed, Bearden specifically recalled that
- 4 "several checks" were in her possession prior to the fundraiser. Attachment 9 at 3.

Among Mathur's responsibilities at MGM Mirage in 2000 was dealing with issues. candidates, lobbying, elections and administering the Mirage Resorts PAC, including PAC functions. Mathur acknowledged that the Gormley fundraiser was not a PAC event and that she spoke to and invited "colleagues" outside of MGM Mirage to attend the fundraiser and to contribute to Gormley. Attachment 8 at 2-3, 8. Mathur edited the invitation written by Aguilera for this purpose after it had been distributed in-house. MGM Mirage furnished three such invitations that are in the form of facsimile cover sheets on Mirage Resorts letterhead, dated February 2, 2000, addressed to Jan Jones (identified by Mathur as Senior Vice President of Governmental Affairs at Harrah's Entertainment, Inc. and a former mayor of Las Vegas); Delores Owens (identified by Mathur as then a senior executive at Caesar's Palace); and Mark Brown. (identified by Mathur as a Senior Vice President at Station Casinos), another invitation initiated by Mathur went to Joe Brunini, another Mirage executive Each of these facsimile cover sheets has the initials "PM/ab" on the bottom, and three ask for RSVP's to be given to Bearden. Attachment 3 at 3-8. Mather's former assistant Andrea Bearden said that the initials meant that Bearden had prepared and faxed these documents. Attachment 9 at 10. According to Bearden, she remembers the draft invitation written by Aguilera and she recalls getting direction from Mather as to whom to invite to the fundraiser. Bearden also stated that preparing and faxing

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- these types of documents was not unusual and she had done these tasks for other fundraisers. Id. 2 at 3 and 12-13.
- In addition to the invitations, MGM Mirage provided this Office with another document 3
- that suggests that at least 10 other people were invited to the fundraiser (hereinafter "the 4
- fundraising chart"), including several that were outside of the corporation.⁶ Attachments 3 at 9: 8 5
- 6 at 5.9. Although Mathur stated that she did not know who created or maintained the fundraising
- chart, or whose handwriting was on it, Bearden identified the handwriting as Mathur's.7 7
- Attachments 8 at 8; 9 at 9. In any event, the document shows that someone at MGM Mirage kept 8
- track of invitees, anticipated attendees, contributors, and the amounts of their contributions. 9
 - Bearden stated that one of her work responsibilities was to organize fundraisers for federal candidates; in Mathur's office, only she and Mathur did this activity. Attachment 9 at 1. She recalled booking a room for the Gormley fundraiser at Le Cirque and interacting with the catering department there on the menu for the event; she was told by Mathur that the menu should be set at \$40 per person. Id. at 3 and 7. Both Bearden and Mathur concur that Mathur signed off on the menu. Attachments 3 at 2; 8 at 5; 9 at 12-13.
 - Bearden stated that it was a "regular occurrence for her and Mathur to collect contribution checks, and that Bearden had collected checks before, during and after events. Attachment 9 at

⁶ The additional people outside of MGM Mirage that were listed on the fundraising chart were Charles Mathewson, Chairman of International Game Technology, Inc., a vendor to MGM Mirage, Don Synder, President of Boyd Gaming, a vendor to MGM Mirage, Mark Tratos, an attorney at Quirk, Tratos & Roet, Judy Patterson, an Executive Vice President at the American Gaming Association, and Nick Casiello and John Groom, who both worked at Harrah's Attachment 3 at 9 Of these, Mathewson and Tratos each contributed \$2,000 to the Gormley campaign, with checks dated February 8 and 9, 2000, respectively

⁷ At the top of the fundraising chart is part of a handwritten note that was cut off during transmission to this Office Counsel informed this Office that the original note states the following "Delores Owens Caesars - will send contribution \$1k - Mark Juliano has check " Attachment 3 at 9

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- 5. In some cases, Bearden said that she was told to collect contributions at a fundraiser for a
- 2 federal candidate, bring them back to the office, copy and inventory them, and then send them on
- 3 to the candidate's committee. Id. Bearden stated that Mathur definitely knew Bearden was
- 4 collecting and forwarding checks to political committees and recalled that more than once,
- 5 Mathur said to her, "You're doing this on your lunch hour, right?" in response to questions
- 6 whether it was proper to use office resources for such tasks or when Mathur was giving Bearden
- 7 instructions about the handling or recording of contributor checks. *Id.*at 5-6.

Bearden further stated that her duties at MGM Mirage included doing "call downs," in which she would confirm who would attend a particular fundraiser and how much they would contribute, and if they were going to contribute but were not going to attend a particular fundraiser, to send a runner to pick up the check from them. Attachment 9 at 3. Bearden stated that MGM Mirage had a longstanding practice of collecting contribution checks from people who did not plan on attending a particular fundraiser and sending them with someone else; sometimes Mathur or Wynn might do a "shake down," as Bearden described it, to get a contribution, and sometimes Mathur would come back from a meeting with someone else's contribution check; other times Bearden would send a messenger from within the Corporate Diversity and Community Affairs department to collect the check. Bearden stated that Mathur often wanted an accurate count of how much had been contributed and the "total committed." *Id.* at 5-6, 8.

With respect to the Gormley fundraiser, Mathur said she recalled having no contribution checks at her office, adding "No, we wouldn't have had them given to us." Attachment 8 at 6. In contrast, Bearden had a clear and specific recollection that some contribution checks – and one person's in particular – were collected by Mathur's office before the fundraiser. Bearden stated that she contacted Bill McBeath, president of MGM Mirage subsidiary Treasure Island, and

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asked if he planned to attend. Attachment 9 at 3. He purportedly said that he could not attend

- but that he would still contribute to the Committee. Id. Bearden then directed an in-office
- messenger to collect his contribution check, which the messenger did. Id. Shortly before the
- fundraiser, however, Bearden was accused of losing McBeath's check and he allegedly wrote a
- second check to replace the first. ⁸ Id. Bearden also recalled calling other invitees to the Gormley
- 6 fundraiser to ask who would attend and contribute. Id.

According to Mathur, she presumed that someone from the Committee would be at the fundraiser to collect the contributions. Attachment 8 at 5. She stated that usually a campaign staff member is at a table at the entrance to a fundraiser to collect contributions. Attachment 8 at 10. However, according to the Committee, Gormley, who had traveled from New Jersey to Las Vegas to attend the fundraiser the day before, 9 did not collect any contributions at the fundraiser and no staff from the Committee was at the event to collect the contributions. Attachments 5 at 4; 6 at 2. Both Mathur and Robert Elliott, Assistant Director of Community Affairs at MGM Mirage, attended the event. 10 Attachments 8 at 10. They said that they observed some people placing contribution checks on the restaurant hostess' podium but deny knowing what happened to them after that. Attachment 8 at 10-11.

⁸ McBeath's name on the original invitation distribution list had a "chk" by his name and was counted as being "in" Attachment 3 at 4. Bearden stated that McBeath's original check was located later and the original check replaced the second check he submitted after the fundraiser Attachment 9 at 3 n 3 The Gormley Committee provided this Office with a copy of a \$2,000 check dated January 17, 2000 from Mr McBeath Attachment 7 at 3

⁹ Gormley stayed at MGM Mirage during the fundraiser and paid for the hotel on his personal credit card Attachment 5 at 4, 8-9. Gormley was not reimbursed for this expense and it was not listed on any Committee report

¹⁰ Mathur and Bearden have conflicting recollections on whether Bearden attended the fundraiser Mathur claimed that Bearden attended the fundraiser with her and that when Mathur saw the contributions on the hostess' podium at *Le Cirque* the only person she told about them was Bearden Bearden specifically recalled not feeling well that morning and that she did not attend the fundraiser *Compare* Attachments 8 at 10 with 9 at 4

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Several people interviewed by this Office stated that Wynn gave a speech at the fundraiser generally praising Gormley and emphasizing his importance to the gaming industry. MGM Mirage stated that it believes approximately 29 individuals attended the fundraiser since the Committee was billed for only 29 lunches. Attachments 2 at 2; 5 at 10-11. Some of the attendees were invitees outside of the corporation. Attachment 2 at 2. Initially the Committee stated in response to the Commission's reason to believe finding that the "attendees brought campaign contribution checks to the event which were given to the candidate" and the candidate "asked the host to send the checks to the campaign office" but that they were "not forwarded to the campaign for several days following the event." Attachment 5 at 4-5. More recently, however, the Committee stated "the host collected the contributions and forwarded them to the campaign via overnight mail. There was a lag time between the event and when the campaign actually received the contributions The host indicated that he would forward the contributions when he had received them all; some of the late contributions were not received until after the event." Attachments 4 at 2, 4; 6 at 1-2. According to counsel for MGM Mirage and the Committee, there are no documents that would independently confirm who handled or directed the handling of the contribution checks at the fundraiser, or explain in greater detail how the checks were transported from the MGM Mirage fundraiser in Las Vegas, Nevada to the

¹¹ Two of the fundraising invitations Mathur wrote stated that Mark Juliano was also a "host" Attachment 3 at 6-7 In his interview with this Office, Juliano said that while he attended the event, he was not the host, adding that, "Steve [Wynn] was definitely the host" Attachment 10 at 4 Although this Office tried to clarify with counsel for the Committee, among other things, whether the reference to "host" referred only to Wynn, she responded that "there are no real answers to your questions—I know that seems odd, but it is the truth" Wynn has specifically denied any personal involvement in collecting and forwarding the checks Attachment 4 at 3-4

1 Committee in Atlantic City, New Jersey. Nor did this Office find anyone who admitted to either

2 taking the checks or knowing who did. 12

The Committee stated that it received \$28,000 as a result of the MGM Mirage fundraiser, but that it returned one \$2,000 contribution check to a donor. Attachment 5 at 4-5; 11 at 1. This is consistent with the Committee's 2000 April Quarterly Report disclosing that it received 26 contributions from people associated with MGM Mirage totaling \$26,000. The Committee also produced copies of the corresponding checks and the deposit slips it used. Attachment 7. A note on the front of one deposit slip, which included a majority of the contribution checks, states, "3-16-00 per Jodi – These are all Steve Wynn's employees – signatures for designations will follow – WLG wants checks deposited." *Id.* at 2. Some of the checks that the Committee said were forwarded from the host were dated weeks before the fundraiser (in January) while a couple of the checks were dated weeks after the fundraiser (in March). *Id.* at 3, 4, 5, 7, 8, 9 and 15. This appears to support both Bearden, who said some checks came in to MGM Mirage prior to the fundraiser, and the Committee, which said that MGM Mirage planned to hold all the checks until the last ones came in and forward them to the Committee.

1. Analysis

The Act prohibits a corporation from making a "contribution" or expenditure in connection with any election for federal office, 2 U.S.C. § 441b(a). A "contribution" includes "anything of value" to any candidate or campaign committee, in connection with a federal election. 2 U.S.C. § 441b(b)(2). The Act also prohibits any candidate, political committee, or

¹² One witness this Office interviewed said that he was directed by a member of *Le Cirque's* staff to a "white male" who took his contribution check, but this Office could not identify who that man was or his role, if any, with the Committee or MGM Mirage

- other person from knowingly accepting or receiving any contribution prohibited by this section.
- 2 2 U.S.C. § 441b(a).

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Corporations are also prohibited from using corporate resources to engage in fundraising activities. 11 C.F.R. § 114.2(f). While the Act permits a corporation and its officers to make partisan communications to its stockholders and executive or administrative personnel and their families, 2 U.S.C. § 441b(b)(2)(A), if the activity goes beyond communication to "facilitating the making of a contribution," other than to the separate segregated fund of the corporation, it becomes a prohibited contribution by the corporation. 11 C.F.R. § 114.2(f)(1). Examples of facilitation include, but are not limited to, officials or employees of the corporation ordering or directing subordinates to plan, organize, or carry out a fundraising project as part of their work responsibilities and using corporate resources or facilities; using a corporate list of customers, clients, vendors, or others not in the restricted class to solicit contributions in connection with a fundraiser; providing catering or other food services, unless the corporation receives advance payment for the fair market value of the services; and providing materials for the purpose of transmitting or delivering contributions, such as stamps, envelopes or other similar items, and collecting and forwarding contributions. 11 C.F.R. § 114 2(f)(2). Exceptions to the prohibition against corporate facilitation of contributions include soliciting contributions to be sent directly to candidates if the solicitation is directed to the corporation's restricted class or soliciting contributions which are to be collected and forwarded by the corporation's separate segregated fund in accordance with 11 C.F.R. § 110.6. 11 C.F.R. §§ 114.2(f)(3) and (4).

¹³ The Committee also produced copies of other checks previously discussed in GCR #3 which it received bundled from Harrah's Entertainment, Inc. and two of its executives – Herbert Wolfe and David Jonas Attachment 7 at 24-32 (Wolfe), 33-54 (Jonas)

In response to the Commission's reason to believe findings, Respondent MGM Mirage only addressed one aspect of the potential facilitation issue by stating "MGM does not believe that Mirage provided any vendor, customer, or client list to the Gormley campaign." Attachment 1 at 4. The facts, however, show that Respondent MGM Mirage used corporate resources to raise funds for Gormley and the Committee, and hence facilitated corporate contributions, in violation of 2 U.S.C. § 441b(a).

According to the Committee, Wynn approached the candidate and asked to hold a fundraiser in Las Vegas; the Committee stated that it was unaware of what steps were taken by Wynn or others thereafter. Wynn asserts that while he may have "consented" to MGM Mirage holding the fundraiser in a lawful manner, his involvement, other than attending and speaking at the fundraiser, stopped there. Specifically, Wynn denies being personally involved in any effort to use corporate resources to collect and forward contribution checks to the Gormley Committee. Attachment 4 at 3-4. The Committee has stated that it did not participate in the planning of the fundraiser – the candidate was told when and where to show up and MGM Mirage did the rest.

Our investigation supports the Committee's view that MGM Mirage planned and carried out the fundraiser. Mathur has said that by the time the event became known to her office, the

out the fundraiser. Mathur has said that by the time the event became known to her office, the date and place for it had already been determined. Attachment 8 at 4. The initial invitation, drafted by in-house counsel, on Bellagio letterhead, was directed to only individuals within the restricted class and advised that the checks could be mailed directly to the Gormley Committee or brought to the fudraiser by the individual contributor. Mathur, however, decided to extend invitations and solicitations to individuals beyond the restricted class (and some outsiders attended the fundraiser), and her assistant faxed out additional invitations (edited by Mathur) on

corporate letterhead, booked the event room, and planned the menu. ¹⁴ Bearden stated that all the tasks that she performed relating to political fundraising were required of her as part of her daily responsibilities and done at the direction of her supervisor, Punam Mathur. Attachment 9 at 12-13. Furthermore, someone within MGM Mirage created and maintained the fundraising chart, which listed invitees (both in and outside of the corporation), anticipated attendees, contributors and the amounts of their contributions. Thus, in connection with the event, MGM Mirage facilitated the making of contributions, including by having officials of the company direct subordinates or support staff to plan, organize and carry out the fundraising project as part of their work responsibilities. According to Bearden, Mather's office also collected and held onto some contributions checks before the fundraiser. As this Office confirmed from copies of contribution checks in the possession of the Committee, Attachment 7, several of the checks had dates that substantially preceded the fundraiser, the earliest being January 12, 2000. Bearden remembers holding onto at least some of these contributions herself, and directing an in-house messenger to collect a contribution check from MGM Mirage executive McBeath.

At the fundraiser, Respondent MGM Mirage continued to facilitate the making of contributions to the Committee. Respondent MGM Mirage has denied at various times during the investigation that it ever "bundled" any contributions, and instead maintained that the contributions were collected by the candidate, and given to someone at MGM Mirage to forward to the Committee because the candidate brought no staff to the fundraiser who could carry out that role. While there might be a case where a corporation that takes all legal steps regarding a

¹⁴ The Committee did not pay for any costs of the fundraiser in advance, but did write a check to reimburse the Bellagio on February 17, 2000, which had paid *Le Cirque*, eight days after the fundraiser Attachment 2 at 5 MGM Mirage's provision of the catering services through its payment of the costs, rather than the Committee's advance payment, is another example of prohibited corporate facilitation 11 C F R § 114 2(f)(2)(D)

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1 fundraiser is nevertheless caught holding the proverbial check, as MGM Mirage initially claimed,

2 the investigation shows that MGM Mirage did more than just transmit the checks collected at the

fundraiser to the Committee. Instead, as discussed above, in addition to planning and organizing

the fundraiser, MGM Mirage collected checks before the fundraiser and waited to send those

5 checks and the ones collected at the fundraiser until others came in after the event. Attachment 6

at 1. The Committee has stated that MGM Mirage sent the \$28,000 in contributions by Federal

7 Express, although neither the Committee nor MGM Mirage has located any documents showing

8 how the contributions were forwarded to the Committee. However they were transmitted, MGM

9 Mirage also appears to have provided materials for this purpose. 15 Accordingly, Respondent

10 MGM Mirage violated 2 U.S.C. § 441b(a) by facilitating the making of \$28,000 in contributions

to the Committee. MGM Mirage has requested pre-probable cause conciliation, and this Office

recommends that the Commission enter into conciliation with MGM Mirage at this time.

Initially, the costs of the fundraiser – the food, beverages, and room rental fee – were also in question. Respondent MGM Mirage asserted that it "did not make an impermissible in-kind contribution to the Gormley committee in connection with the catering and room rental costs." Attachment 1 at 2 (emphasis in original). It provided a copy of the menu, the receipt, and the check from the Committee after the event. MGM Mirage further stated that the "\$40 per person food cost charged to the Gormley committee (less discount) represents the fair market value for such food (that is, what would be charged of any customer for the same food in the same

¹⁵ Prior to the merger of MGM Grand and Mirage Resorts, both corporations' separate segregated funds had contributed to the Committee. Mirage Resorts, Inc PAC contributed \$5,000 to the Committee on December 1, 1999 for both the primary and general elections, and MGM Grand, Inc PAC gave the Committee \$1,000 on March 21, 2000 Although the Committee deposited the MGM Grand, Inc PAC check on the same date as those of the other MGM Mirage employees, we were not able to determine if the MGM Grand, Inc PAC check was sent in the same package or bundle as the individual fundraiser checks. Attachment 7 at 11.

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- circumstances)." Id. at 3. While this Office is not certain that a \$40 per person food cost is in
- 2 fact the fair market value for the food served, there is some leeway because there would be no
- 3 contribution if the amount charged to the Committee was at least equal to the cost of such food or
- beverage to the vendor, to the extent that the aggregate value of such discount given by the
- 5 vendor did not exceed \$1,000 regarding any single election. 11 C.F.R. §§ 100.7(b)(7);
- 6 114.1(a)(2)(v). This Office does not believe that additional investigation into the catering costs
- would be a good use of the Commission's scarce resources, and it does not recommend further
- 8 inquiry of this issue. Moreover, the Committee paid the costs charged to it for the catering costs,
- 9 albeit after the event, and further provided evidence that the candidate paid for his own hotel
- 10 room. See footnotes 9, 13 and 14, supra.

2. MGM Mirage Executives – Wynn, Bronson, Juliano and Mathur

This Office was unable to find information demonstrating Wynn's personal participation in the fundraiser beyond his initiating and speaking at it. According to counsel for Wynn, Wynn may have consented to the event being held in a lawful manner, but he had no personal involvement in managing the event or in the collecting and forwarding of contributions to the Gormley committee. Attachment 4 at 3-4. A corporate fundraising event featuring a candidate, if limited to the restricted class, could have been carefully structured to avoid corporate facilitation. See 11 C.F.R. §§ 114.2(f)(4)(ii) and 114.3. Mathur could not recall any direct conversations she had with Wynn about the fundraiser, and could not recall any documents to or from Wynn pertaining to it. Attachment 8 at 4. Bearden stated that Wynn's office was not involved in the planning or negotiations with Le Cirque for the Gormley fundraiser. Attachment 9 at 7. As such, we do not have enough information to proceed against Wynn on the theory that

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- he consented to corporate facilitation. Therefore, this Office recommends that the Commission
 take no further action against Stephen Wynn and close the file as to him.
 - The information concerning Mathur is considerably stronger and shows that she was personally involved in organizing the fundraiser. It was her job to oversee political events for the corporation, so she should have been familiar with the rules concerning corporate facilitation. Indeed, if her alleged remarks to Bearden that Bearden was collecting and copying checks on "her lunch hour" are accurate, she apparently knows the rules only too well. Mathur, however, decided to invite and solicit persons outside the restricted class. Moreover, while she professed to have little involvement in or recall of the events leading up to the event, she admitted that she wrote "ck" or "chk" next to several names on a distribution list and signed the menu proposed by Le Cirque for the event. Her assistant Andrea Bearden stated that she faxed invitations, made calls, booked the room, planned the menu, and collected some checks before the Gormley fundraiser; according to Bearden, all of these activities were part of Bearden's daily work responsibilities and done at the direction of her supervisor, Mathur. Bearden also stated that the handwriting on the fundraising chart was Mathur's. Mathur's defensive statements that no contribution checks would have been received in her office and her denial that her handwriting appears on the fundraising chart conflict with Bearden's statements. Bearden departed MGM Mirage on less than amiable terms and may therefore be vulnerable as a witness; however, this Office believes that Bearden was more credible than Mathur because Bearden had specific recall of tasks she performed in connection with the Gormley fundraiser, including her collection of the McBeath checks, and that details of this sort lend credence to Bearden's other assertions. Even without Bearden's statements, Mathur's job responsibilities, her own statements concerning the invitations and solicitations she decided to send to persons outside the restricted class, the fact

MUR 5020 – Gormley for Senate Primary Elec. Fund 17 General Counsel's Report #4

- that those invitations were demonstrably prepared and faxed by her assistant, and her admissions
 that she signed off on the menu and that her handwriting relating to checks appears on the
 distribution list are enough to support reason to believe findings that she consented to corporate
 facilitation. Therefore, this Office recommends that the Commission find reason to believe
- Punam Mathur violated 2 U.S.C. § 441b(a). We also recommend that the Commission enter into pre-probable cause conciliation with Mathur.

As to Bronson and Juliano, other than a few cursory witness comments about them, their attendance at the event, and the Committee's assertion that Bronson interfaced with the Committee with respect to some logistics, this Office was unable to find any information concerning their personal participation in the fundraiser or facilitation. Accordingly, we recommend that the Commission take no further action and close the file as to Mark Juliano and Richard "Skip" Bronson.

2. Conciliation

B. The Gormley for Senate Primary Election Fund

1. Facts

The Commission previously found reason to believe that the Committee violated 2 U.S.C. §§ 434(b), 441a(f), and 441b for its involvement in the Donald Trump fundraiser, in accepting contributions facilitated by Harrah's Entertainment, Inc., and by accepting contributions facilitated by MGM Mirage. The Committee contended in its response that many of the allegations were "factually incorrect and wholly without merit." Attachment 5. However, the Committee conceded that certain provisions of the Act "may have inadvertently been violated" and requested pre-probable cause conciliation. *Id.* at 2. Based on the facts surrounding the MGM Mirage fundraising discussed in this report and corporate facilitating of contributions by Harrah's previously discussed, *see* GCR #3, this Office now recommends entering conciliation with the Committee. **In See Attachment 14.

2. Analysis

a. The Fundraising by Harrah's Entertainment et al.

The Committee argues that the two Harrah's executives only solicited and received contributions from members of Harrah's restricted class. Attachment 5 at 3; see also GCR #3 (discussing corporate facilitation by Harrah's). The Committee also asserts that 11 C F.R

¹⁷ The Committee states that Trump's fundraiser did not exceed the \$2,000 food/beverage threshold and thus there was no excessive contribution from Trump Attachment 5 at 3 The Commission previously decided to take no further action with regard to Trump and his fundraiser See GCR #2 (discussing Trump's fundraiser), 11 C F R § 100 7(b)(6) There is no information that the Committee accepted an excessive contribution from Trump or otherwise engaged in impermissible activity associated with that fundraiser

§ 114.2(f).

§ 114.9(a) permits the isolated use of a person's office in a corporate building and that this
instance falls within that permissible exception. *Id.* at 4. Further, the Committee maintains that
the two executives were not required to report as conduits or intermediaries because of their
status pursuant to 11 C.F.R. § 110.6(b)(2)(i)(E) as individuals expressly authorized by the
candidate or committee to engage in fundraising who also occupy a significant position within
the candidate's organization. *Id.* at 3. Finally, the Committee states that the campaign, not the
corporation, actually collected the contributions to avoid violation of the provisions of 11 C.F.R.

As discussed in GCR #3, the question of whether Harrah's facilitated the making of corporate contributions does not turn on whether the two Harrah's executives only solicited members of their restricted class. *See* GCR #3 at 5, fn.5. Moreover, while there is evidence that the Gormley campaign approached one of the executives, Herbert Wolfe, and asked him to help raise funds, there is no indication that either of the Harrah's executives occupied a significant position within the Committee, which is required under 11 C.F.R. § 110.6(b)(2)(i)(E) to exempt them from conduit status. Thus, the Committee cannot avoid civil liability pursuant to section 441b(a) merely by having an agent receive the bundled contributions in person rather than receiving the bundled contributions in the mail. Finally, as discussed in GCR #3, Harrah's executives used corporate personnel and resources to solicit contributions and to collect \$37,275 in contributions, thereby facilitating corporate contributions, and the Committee, by arranging with Harrah's to pick up the bundled contributions at the corporate site, knew or should have known that the corporation had facilitated their collection in violation of 2 U.S.C. § 441b(a).

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b. In-Kind Contributions and Reporting Violations

The Act prohibits any person from making contributions to any candidate or his or her 2 authorized committee regarding any election for Federal office, which, in the aggregate, exceeds 3 \$1,000. 2 U.S.C. § 441a(a)(1)(A). The Act also prohibits any candidate or political committee 4 from knowingly accepting any contribution in violation of section 441a. 2 U.S.C. § 441a(f). The 5 Act also requires a political committee to report all receipts and disbursements. 2 U.S.C. 6 7 § 434(b)(2)(B). Here, Joseph R. Jingoli, Jr. had already contributed the maximum limit to the Committee when he paid \$723 for the candidate's airfare to the MGM Mirage fundraiser in Las 8 Vegas and therefore this payment constituted an excessive in-kind contribution. See GCR #3. 9 The candidate knowingly accepted payment of his airfare to the fundraiser. Accordingly, the 10 Committee was required to report the in-kind contribution and return or reimburse Jingoli for the 11 excessive amount. See 2 U.S.C. § 434(b)(2)(B). It failed to do either, admitting that Jingoli's 12 payment of Gormley's airfare to the fundraiser in Las Vegas "constituted an excessive in-kind 13 contribution and the campaign failed to report and/or return the contribution." Attachment 5 at 4, 14 15 5. Moreover, the Committee concedes that Gormley paid his own hotel bill of \$220 in 16 connection with the fundraiser in Las Vegas on a personal credit card, but that the Committee 17 failed "to report the in-kind contribution from Sen. Gormley to his own campaign." Attachment 5 at 4, 5; see 2 U.S.C. §§ 434(b)(2)(B) and (3), (5). Accordingly, the Committee violated 18 19 2 U.S.C. §§ 441a(f) and 434(b)(2)(B) and (3), (5).

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b. The MGM Mirage Fundraiser

As discussed *supra*, there is sufficient information that the Committee knowingly accepted \$26,000 in contributions that were facilitated by MGM Mirage. ¹⁸ The Committee admits that, other than having the candidate show up, it did nothing in connection with this fundraiser and therefore it must have recognized that all of the planning and organizing, including inviting guests and soliciting contributions, booking the restaurant, and choosing the menu, and the advance costs associated with such activities, were borne by its corporate host. Attachment 6 at 1-2. Moreover, the candidate, as agent of the Committee, apparently knew that some guests had brought contribution checks to the fundraiser and either requested or acquiesced to the corporation forwarding the contributions to the Committee. 2 U.S.C § 432(e)(2). In addition, the Committee knew that MGM Mirage was going to wait for additional contributions after the fundraiser before forwarding them to the Committee. Attachment 6 at 2. Lastly, the note on the Committee's deposit slip stating that the contributors were "all Steve Wynn's employees" further indicates that the Committee knew it received bundled contributions from MGM Mirage's employees. Attachment 7 at 2. Accordingly, the Committee violated 2 U.S.C. § 441b(a) by accepting \$26,000 in contributions facilitated by MGM Mirage.

¹⁸ Although MGM Mirage facilitated \$28,000 in contributions, and the Committee received each of these contributions, it also returned one \$2,000 contribution, thus, this Office views the Committee as liable only for \$26,000 of facilitated contributions.

Conciliation

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RECOMMENDATIONS IV.

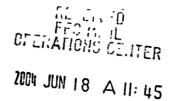
- 1. Enter into pre-probable cause conciliation with Mirage Casino Resorts, Inc., and 12 approve the attached conciliation agreement. 13
- 2. Find reason to believe Punam Mathur violated 2 U.S.C. § 441b(a). 14
- 3. Enter into pre-probable cause conciliation with Punam Mathur, and approve the 15 attached conciliation agreement. 16

4. Take no further action as to Steve Wynn and close the file as to him. 1 5. Take no further action as to Mark Juliano and close the file as to him. 2 6. Take no further action as to Richard "Skip" Bronson and close the file as to him 3 7. Enter into pre-probable cause conciliation with Gormley for Senate Primary Election Fund and Alan C. Staller, as treasurer, and approve the attached conciliation 5 agreement. 6 8. Approve the appropriate letters. 7 8 Lawrence H. Norton 9 General Counsel 10 11 12 19:04 BY: 13 Lawrence L Calvert, Jr 14 Deputy Associate General Counsel 15 for Enforcement 16 17 18 19 20 Assistant General Counsel 21 22 23 Daniel G Pinegar 24 Attorney 25 26 27 Attachments: 28 1. Response to RTB finding – Mirage Casino Resorts, Inc. (Dec. 12, 2001) 29 Supplemental Response – Ltr. Mirage Casino Resorts, Inc. (June 10, 2003 & June 24, 2003) 30 Supplemental Response – Fax Mirage Casino Resorts, Inc. (October 28, 2003) 31 4. Response to RTB finding – Steve Wynn (Dec. 13, 2001) 32 5. Response to RTB finding – Gormley for Senate Primary Election Fund (Dec. 28, 2001) 33 6. Supplemental Response – Ltr. Gormley for Senate Primary Election Fund (May 4, 2004) 34 7. Document Request – Gormley for Senate Primary Election Fund (June 18, 2004) 35 Report of Investigation – Punam Mathur 36 9. Report of Investigation – Andrea Bearden

MUR 5020 - Gormley for Senate Primary Elec. Fund 24 General Counsel's Report #4

- 1 10. Report of Investigation Mark Juliano
- 2 11. Chart Contributions facilitated by Mirage Casino Resorts, Inc.
- 3 12. Conciliation Agreement Mırage Casıno Resorts, Inc.
- 4 13. Conciliation Agreement Punam Mathur
- 5 14. Conciliation Agreement Gormley for Senate Primary Election Fund





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FOLEY & LARDNER LLP

WASHINGTON HARBOUR 3000 K STREET N W , SUITE 500 WASHINGTON D C 20007 5143 TELEPHONE 202 672 5300 FACSIMILE 202 672 5399 WWW FOLEY COM

VIA HAND DELIVERY

M E M O R A N D U M

CLIENT MATTER NUMBER 071155 0101

TO:

Mr. Dan Pinegar, Staff Attorney

Federal Election Commission

FROM:

Cleta Mitchell, Esq. (1)

DATE:

June 18, 2004

RE:

MUR 5020

Deposit Slips and Documents Requested

Pursuant to your request concerning the above-referenced MUR, please find enclosed the copies of deposit slips and documents evidencing the deposits to the Gormley for Senate campaign for the time period February and March 2000.

In going through the 'batches', we noted that there is no number 206 or 183. This could simply be an error made in numbering the deposits. However, to be certain, I have requested that the client locate the checkbook and see if there are any notations regarding whether any deposits were made with those batch numbers. There are also deposits for batches 172A and 181A, but nothing for 172 and 181. I have also requested that the client look for those missing batch numbers/deposits when/if the checkbook can be located in the storage facilities.

I had hoped that they could locate the checkbook and we could find the missing records in order that you would have the complete records for the period requested. However, it is taking longer than I anticipated to track down the missing information, so I'm sending you what we have while we try to find the missing portions.

Please contact me at (202) 295-4081 if you have any questions regarding these documents. Thank you for your assistance.

ATTACHMENT / Page / of 54

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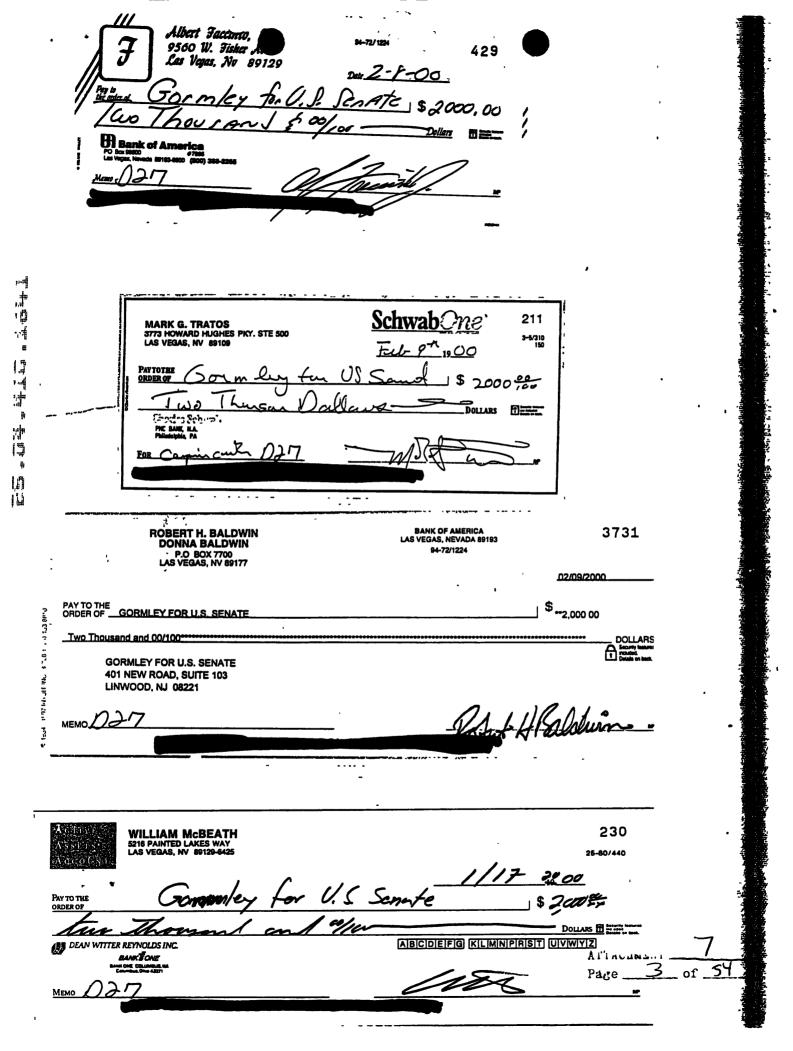
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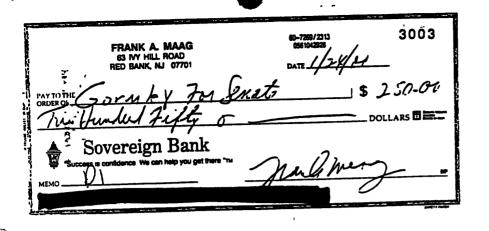
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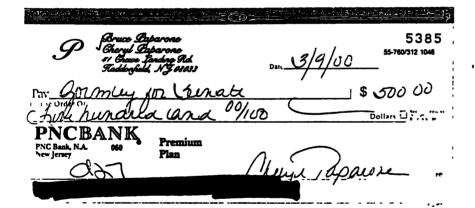
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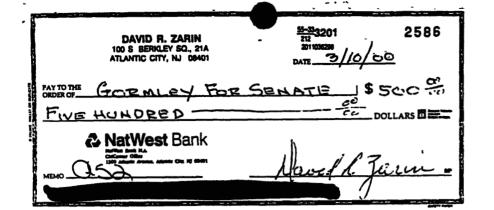
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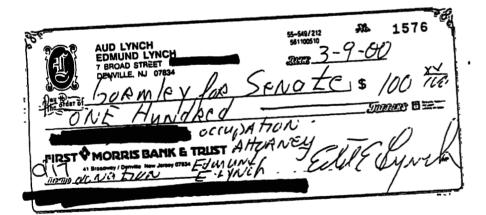
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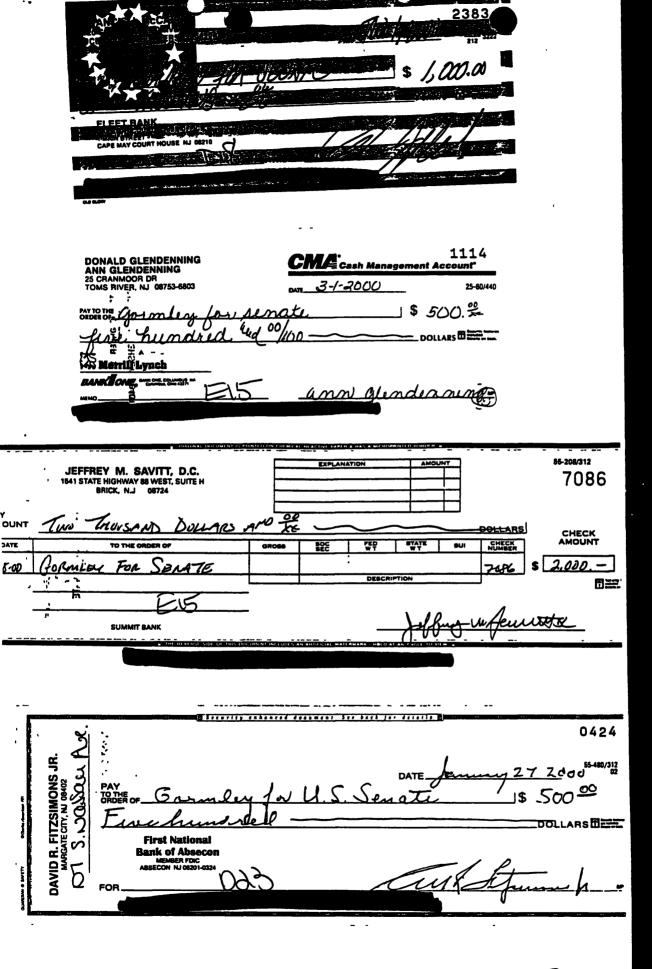
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	Employers <u>50 LF</u> Work Phones 732 - 840 - 9040
	772-8-70 good
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	Piesse make checks payable to GORMLEY FOR SENATE.
]	2. Corporate checks are prohibited by Pederal Section Law.
ì	3. An individual may comribute \$1,000 00 for the primary election (\$2,000.00 per couple) and
	\$1,000.00 for the general election (\$4,000.00) per comple.
1	4. Please do not send cash contributions
ļ	Contributions are not charitable deductions for federal income tox purposes.
1	Redezal law requires political committees to report the name, mailing address, occupation and name of
i	the name, mailing address, occupation and name of employer for each individual whose contributions
İ	agerceate in excess of \$200 00 m a calendar year
İ	7 Please indicate whether individual or joint contribution and sign below
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	Your signature: A whereas
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i	primary election and \$1,000.00 to the general election for each individual).
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,	Spouse's Employer: HUNSBWIFE
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	of 2107 Booch Street, Point Pleasant, NJ 05742
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Gormley for Senate

(d)	Yes, I/we will join you on Friday, March 24, 2000 for a cocktail reception for Gormley for Senate. Enclosed is my personal contribution of \$2K for reservations at \$1,000 per person.		
[]	If we will be unable to join you but enclosed is a contribution of \$_ for Gormley for Senate.		
Please make ch	ecks payable to Gormley for Senate .		
Name:	Louis J. Greco & CANDACE Greco		
Address	3 Paul Clark Drive		
	Somers Pt., NJ 08244		
Work Phone:	601-0500 Fax 601-0650		
Home Phone:			
Employer:	Self Occupation: A Horas		
pr.	Check here if self employed		
Please Read	Carefully:		
(1. Please make checks payable to GORMLEY FOR SENATE 2. Corporate checks are prohibited by Federal Election Law 3 An individual may contribute \$1,000 for the primary election (\$2,000) per couple and \$1,000 for the general election (\$4,000 per couple) 4 Please do not send cash contributions 5. Contributions are not charitable deductions for federal tax purposes 6 Federal law requires political committees to report the name, mailing address, occupation, and name of employer for each individual whose contributions aggregate in excess of \$200 in a calendar year. 7. Pin re indicate whether individual or joint contribution and sign below [] Individual contribution (If contributing \$2,000- attributes \$1,000 to the primary and \$1,000 to the general election) Your signature [] Joint contribution—This is to verify that the contribution should be attributed to us equally (if contributing \$4,000- attributes \$1,000 to the primary election and \$1,000 to the general election for each individual) Your signature: Spouse's signature: A Grace Federal law requires the following if contributing from a joint account		
	Spouse's Employer ACMC Occupation: NAPSE		
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Paid for by Gormley for Senate. Alan Staller, Treasurer. c/o 401 New Road, Suite 102; Linwood, New Jersey 08221

ATTACHMENT 1/ Page 20 of 54 3-11-1995 11:42PM

FROM JLH """ 000

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DAVIDOFF & MALITO LLP

Harris H T. W. W. H. B. Martin Land An et al. Martin L. M.

attoembys at law SOS TRIBIO AVENUE NEW YORK, N.Y. 10150

(218) 557-7200 PAX (212) 200-1864

March 29, 2000

Via Facsumile

Mr. Allen Staller Treasurer Gormley for Senate 401 New Road, State 102 Linwood, New Jersey 08221

Re: Recent Contribution to the Gormley for Senate Campaign

Door Mr. Staller.

Please be advised you can attribute that contribution made by partnership check to Howard E. Druckman, the undersigned, a partner

If you have any other questions, please feel free to contact me

Very truly yours,

Howard E. Druckman

HBD/cz

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Paid for by GOEDSLEY FOR SENATE. Alon Stalles C/o 3205 Fro Fort Reseasonile NJ 08232

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ATTACHMENT Page 23 of <u>54</u> GORMLEY FOR SENATE PRIMARY ELECTION FUND 3030 ATLANTIC AVENUE ATLANTIC CITY, NJ 08401

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Page 26 of 54

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> ATTACHMENT Page _ 27

DEPOSIT TICKET

55-33/212

GORMLEY FOR SENATE PRIMARY ELECTION FUND 3030 ATLANTIC AVENUE ATLANTIC CITY, NJ 08401

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ATTACHMENT 2 Page 28 of _

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ATTACHMENT 7
Page 32 of 54

DEPOSIT TICKET

55-33/212

GORMLEY FOR SENATE PRIMARY ELECTION FUND 3030 ATLANTIC AVENUE ATLANTIC CITY, NJ 08401

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ATTACHMENT . Page 33 of.

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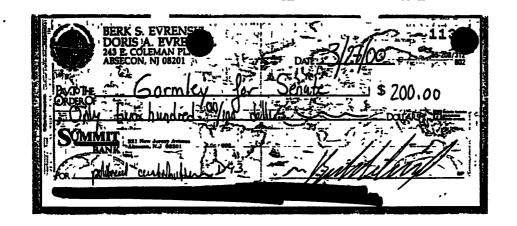
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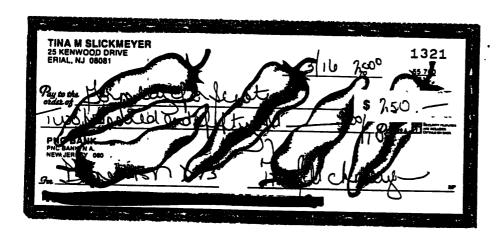
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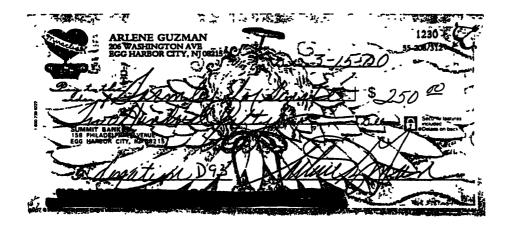
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Page 36 of 54







	<u> </u>	•
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ATTACHMENT 7
Page 37 of 54

THOMAS W. COOK JULIA A. DAMPIER-COOK 2201 BRIGHTON DR LINWOOD, NJ 08221 PAY TO THE GOMEN CY FOR Ser ONC - HOULSAND COO/16	7,000
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JAMES A CLEARY KRISTINA A CLEARY S32 JIMMIE LEEDS RD SEAVIEW PARK, NJ 08201 PAY TO THE GOOMLEY FOR SENA ORDER OF STATE Union National Bank TO 021 200025 FOR S 1 9 3	0757 S5-2/212 BRANCH 2572 \$ 1000.00 AD/100 DOLLARS [] Resource Banking*

ATTAUMMENT 7
Page 38 of 54

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DEPOSIT TICKET

55-33/212

GORMLEÝ FÓR SÉNÁTE PRIMARY ELECTION FUND 3030 ATLANTIC AVENUE ATLANTIC CITY, NJ 08401

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41lantic City, New Jersey 0840)

Atlantic City, New Jersey 0840

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P. Rocce
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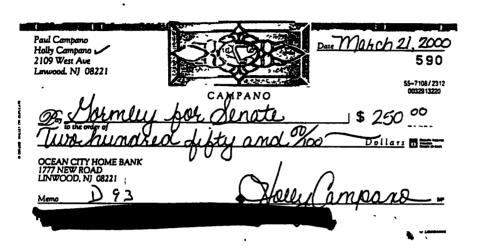
ATTACHMENT 7
Page 40 of 54

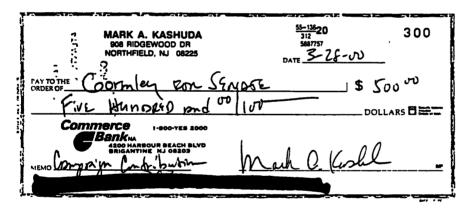
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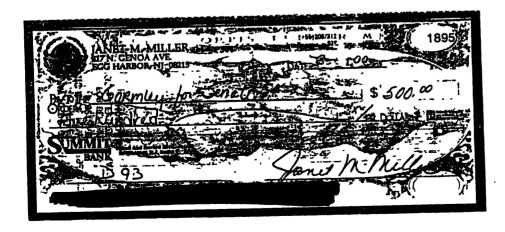
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ATTAUMENT 7
Page 4/ of 54

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ATTACHMENT 7
Page 42 of 54

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	John A Ranere Theresa L. Ranere	55-7114/2312 0300023717	4093
	Interesa L. France 17 Garroll Gr Sudjepnile, NJ 08081	DATE 3-25-	<u> </u>
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ATTACEMENT 7
Page 43 of 54

DEPOSIT TICKET

55-33/212

DOLLARS CENTS

GORMLEY FOR SENATÉ

PRIMARY ELECTION FUND 3030 ATLANTIC AVENUE ATLANTIC CITY, NJ 08401

MFleet
93224 Chelses Office

DATE 3 -30 - 00

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"A.CARLUCCI"
"K.GRAHSLER"
"W. HOLL 100 75 "M, WALSH 150 TOTAL FROM OTHER SIDE OR ATTACHED LIST

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Checks and other name are received for depose subject to the provisions of the Uniform Commencu Code or any applicable collection agreement

ATTACHMENT Of 54

	TO THE PARTY OF
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Paul M. Merrick Kathryn A. Merrick	1593
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WENDY A. HOLL

B STARBOARD COURT
ATLANTIC CITY NJ 08401

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COMMERCE

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STOO MARBOUR BEACH BLVD
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ATTACHMENT 7
Page 46 of 54

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GOMMERCE 1 800 YES-2000	
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ATTACHMENT 7
Page 48 of 54

DEPOSIT TICKET

55-33/212

GORMLEY FOR SENATE PRIMARY ELECTION FUND 3030 ATLANTIC AVENUE ATLANTIC CITY, NJ 08401

93224 Chassas Office Atlantic City, New Jersey 08401

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Checks and other items are received for deposit subject to the provisions of the Uniform Commercial Code or any applicable collection agreement

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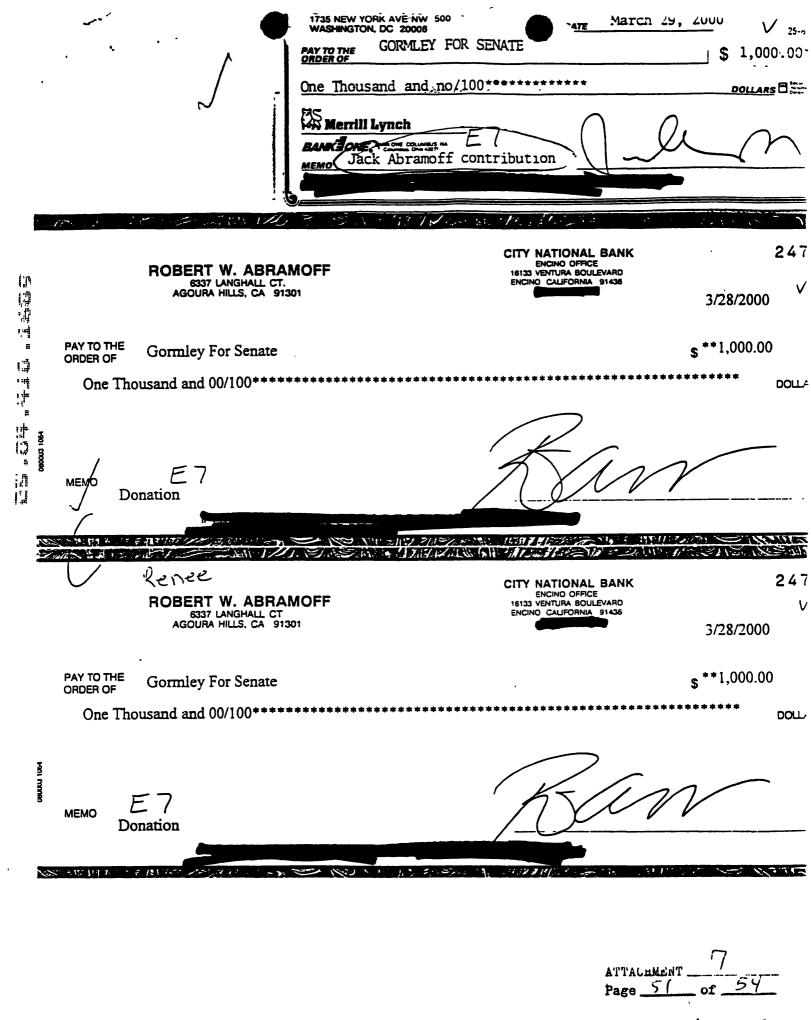
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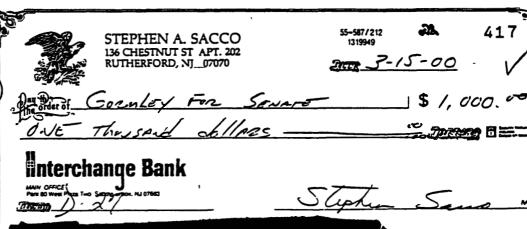
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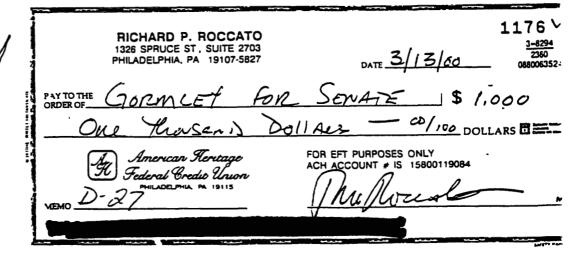
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One Thousand and 00/100	Dollars	6==
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For general election D 5.7.		

Mance sales Manual some firm in Philly 10RP-7



Computer Software



RIKER, DANZIG, SE FRER, HYLAND & PERRETTI LLP

HEADQUARTERS PLAZA ONE SPEEDWELL AVENUE PO BOX 1981 MORRISTOWN, NEW JERSEY 07962-1981 (973) 538-0800 FAX (973) 538-1984

> SO WEST STATE STREET SUITE 1010 TRENTON. NEW JERSEY 08608-1220 16091 396-2121



CHARLES DANZIG HE34-1962

SENJAHIN P MICHEL GERALD A. LILOIA JOHN P SHERIDAM JR JAMES & ROTHSCHILD JR VINCENT J SHARKEY JR DOWNS J C'GRACT MICHAEL & FUREY GARY E WALSH ROBERT D BORTECH EDWARD K. DEHOPE SHAWN L RELLY

HANCY STEWART MINTH A SHELIVAN STEPHANIE D. EDELSON HANCY G. EBERHARDT HAROLD L. KOFMAN MAROLD S. ATLAS JOSEPH L. SCHWARTZ CATHLEEN H. GIULIANA BRUCE A. HARRIS CRAIG L. STEINFELD KEITH J WEINGOLD THOMAS J PERRY LARISA V K. GJIVOJE STEVEN K PARKESS EDWIN F CHOCIEY JR HELLY STRANGE CRAWFORD JACQUELINE F MCGOWAN

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EVERETT N SCHERER WILLIAM F HYLAND PETER N PERRETTI JR WILLIAM C CONNELLY EDWARD A ZUNZ JR PETER L BERKLEY SUNEY N SCHREISER STEWART G POLLOCK PETER F CLD OF COUNSEL

ERNEST O SUFF CHARLES F WASKEVICH JR LINGA H PRENTISS RICHARD D SANDERS JAMES A MARKKSS RAPAEL PEREZ J ALEX KRESS DOUGLAS A SATZGER* COUNSEL

CRAIG & DEMARESKI ANDREW M CONTRERAS GEOFFREY & GUSSIS TOOD & JULIAN MAHA F MUNAYYER DORTT T ROBBINS KOTH D BARRACK ERIC BLUMENFELD ROBERT L. LEHANE MICHAEL A SCHMERLING CAROLINE BRIZZOLARA SCOTT M CERNICH ANANYA DASH JEHMFER GAETA MARK P LUEDEKE KEVIN F MURPHY CURTIS M PLAZA

March 27, 2000

Personal

Honorable William L. Gormley 108 Hamilton Mall 4403 Black Horse Pike Mays Landing, New Jersey 08330

Dear Bill:

Enclosed is the check of my partner, Shawn L. Kelly, in the amount of \$1,000.00, payable to Gormley for U. S. Senate. Shawn's address is 8 Green Hill Road, Mendham, New Jersey 07945.

Sincerely

John/P. Sheridan, Jr.

Enclosure

Page 5

Contributions Facilitated by "MGM Mirage"

Name	Occupation	Check Date	Date Reported	Amount	Cmte. Batch
Baldwin, Robert	CFO	2/9/2000	3/21/2000	\$2,000 00	183A
Faccinto, Albert Jr	President	2/8/2000	3/21/2000	\$2,000 00	183A
Gruder, Herbert	Executive	3/16/2000	3/28/2000	\$1,000 00	189
Levin, Bruce	Executive	1/12/2000	3/21/2000	\$2,000 00	183A
Poole, M Dianne	Executive	3/16/2000	3/28/2000	\$1,000 00	189
Schorr, Marc	President	1/12/2000	3/21/2000	\$2,000 00	183A
Visconti, Frank	Retail President	2/9/2000	3/21/2000	\$2,000 00	183A
Wayson, Boone	Director	2/9/2000	3/21/2000	\$2,000 00	183A
Weissman, David	Executive	2/9/2000	3/21/2000	\$2,000 00	183A
Wynn, Elaine	Director	1/13/2000	3/21/2000	\$2,000 00	183A
Wynn, Stephen	CEO	1/13/2000	3/21/2000	\$2,000 00	183A
				\$20,000.00	

11 contributors listed in complaint

Name	Occupation	Check Date	Date Reported	Amount	Cmte. Batch
	International Game				
Matthewson, Charles	Technology	2/8/2000	3/28/2000	\$2,000 00	183A
McBeath, William		1/17/2000	3/21/2000	\$2,000 00	183A
Sheldon, Robert		2/9/2000	3/21/2000	\$2,000 00	183A
Tratos, Mark	Attorney	2/9/2000	3/21/2000	\$2,000 00	183A
				\$8,000.00	

4 contributors not listed in complaint

TOTAL:

\$28,000.00

18 Other invitees listed on the Fundraising Chart, but no contributions facilitated

Name	Occupation	Check Date	Date Reported	Amount	Cmte. Batch
			12/30/99 and		
Wolzinger, Mel	Mırage	unk	12/5/00	\$3,500 00	Not available
Snyder, Don	Boyd Gaming	unk	12/20/1999	\$1,000 00	N/A
			12/30/99 and		
Popeil, Ron	Mırage	unk	12/5/00	\$3,500 00	N/A
Moon, Bob	MGM (pre-merger)	None	None	None	N/A
			5/7/99 and		
Brunini, Joe	MGM (pre-merger)	unk	12/5/00	\$2,000 00	N/A
Groom, John	Harrah's	unk	12/30/1999	\$1,000 00	N/A
Casiello, Nick	Harrah's	unk	12/30/1999	\$1,000 00	N/A
Juliano, Mark	Mırage	unk	12/9/1999	\$1,000 00	N/A
	New City				
Cruse, Victor	Development	unk	12/16/1999	\$1,000 00	N/A
Jones, Jan	Harrah's	None	None	None	N/A
Owens, Delores	Caesars	None	None	None	N/A
Fuerstman, Alan	Mırage	None	None	None	N/A
Blau, Elizabeth	unk	None	None	None	N/A
Azız, Gamal	unk	None	None	None	N/A
Jıngolı Jr , Joseph	Jingoli & Sons, Inc	unk	10/28/1999	\$2,000 00	N/A
Corcoran, Gerald	Attorney	unk	11/22/1999	\$1,000 00	N/A
Gormley, Sean	Candidate's son	None	None	None	N/A